

PATENT
ATTORNEY DOCKET No. 58764.000036

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/040,906 Confirmation No.: 1498
Applicants : Greta ARNAUT *et al.*
Filed : January 9, 2002
Title : NUCLEIC ACID MOLECULES ENCODING NOVEL BACILLUS
THURINGIENSIS Cry2Ae INSECTICIDAL PROTEINS, PLANT
CELLS, PLANT OR SEEDS COMPRISING THE NUCLEIC
ACID MOLECULES AND METHODS OF USING SAME
TC/Art Unit : 1638
Examiner: : Anne R. KUBELIK
Docket No. : 58764.000036
Customer No. : 21967

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL

Sir:

Applicants hereby **appeal** to the Board of Patent Appeals and Interferences from the last decision of the Examiner in the Final Office Action mailed March 9, 2006 rejecting claims 58, 71, 76-77, 80, and 83-86 in the above-captioned application.

09/12/2006 JADD01 00000042 10040906
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REMARKS

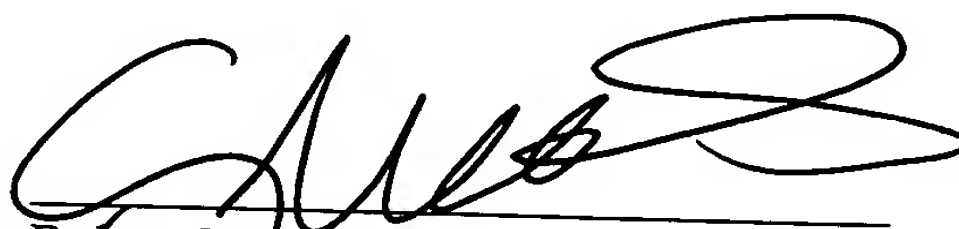
Applicants include herewith a check in the amount of \$1,520 to cover the fee set forth in 37 C.F.R. §41.20(b)(1) for the Notice of Appeal and the fee set forth in 37 C.F.R. §1.17(a)(3) for a three-month extension of time (being filed concurrently herewith) for a large entity.

Applicants believe that no additional fee is required for the submission of this Notice of Appeal. However, in the event that the U.S. Patent and Trademark Office requires any additional fee to enter this Notice of Appeal, please charge such fee to the undersigned's **Deposit Account No. 50-0206**.

Respectfully submitted,
HUNTON & WILLIAMS LLP

Dated: September 11, 2006

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